

Message Text

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PAGE 01 MADRID 10305 080948Z
ACTION L-03

INFO OCT-01 EUR-12 ISO-00 PM-05 NSC-05 SP-02 SS-15
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FM AMEMBASSY MADRID
TO SECSTATE WASHDC 6019

C O N F I D E N T I A L MADRID 10305

FOR ASST. LEGAL ADVISER FOR TREATY AFFAIRS

E.O.11652:GDS
TAGS: MARR, MASS, SP
SUBJECT: TREATY OF FRIENDSHIP AND COOPERATION -- IMPE-
MENTATION OF MILITARY ASSISTANCE ARTICLES.

REF: 77 STATE 288160

1. THE SPANISH FOREIGN MINISTRY PROPOSES TO SEND THE FOL-
LOWING FIRST PERSON NOTE FROM THE UNDERSECRETARY TO THE
AMBASSADOR (THE TWO PERMREPS ON THE US-SPANISH COUNCIL)
REGARDING THE EXTINGUISHING OF SPANISH AND US RIGHTS UNDER
ARTICLE X(1) OF SUPPLEMENTARY AGREEMENT 7 OF THE TREATY:
(BEGIN TEXT, IN INFORMAL EMBASSY TRANSLATION)

I HAVE THE HONOR TO REFER TO ARTICLE X OF SUPPLEMENTARY
AGREEMENT 7 ON COOPERATION REGARDING MATERIEL FOR THE
ARMED FORCES, AS WELL AS TO THE NOTE OF JANUARY 24, 1976,
WHICH REFERS TO THIS SAME ARTICLE.

THE GOVERNMENT OF SPAIN HAS DECIDED TO RENOUNCE THE
AUTHORITY TO LEASE 42 F-4E AIRCRAFT, WHICH WAS PROVIDED
FOR BY SAID ARTICLE. NEITHER WILL IT SELL TO THE GOVERN-
MENT OF THE UNITED STATES THE 34 F-4C AIRCRAFT TO WHICH
THE ARTICLE CITED ALSO REFERS.

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I HAVE THE HONOR TO PROPOSE TO YOUR EXCELLENCY THAT, IF
THE FOREGOING IS ACCEPTABLE TO YOUR GOVERNMENT, THIS NOTE
AND YOURS IN REPLY SHALL CONSTITUTE AN AGREEMENT BETWEEN
OUR TWO GOVERNMENTS.

ACCEPT, MR. AMBASSADOR, THE ASSURANCE OF MY HIGHEST CON-

SIDERATION. (END TEXT)

2. THE ORIGINAL TEXT IN SPANISH READS: (BEGIN TEXT)

TENGO EL HONOR DE REFERIRME AL ARTICULO X DEL ACUERDO COMPLEMENTARIO NUMERO 7 SOBRE COOPERACION EN ASUNTOS DE MATERIAL PARA LAS FUERZAS ARMADAS, ASI COMO A LA NOTA DE 24 DE ENERO DE 1976 QUE SE REFIERE AL MISMO ARTICULO.

EL GOBIERNO DE ESPANA HA DECIDIDO RENUNCIAR A LA FACULTAD DE ARRIENDO DE 42 AVIONES F-4E, COMO PREVE DICHO ARTICULO X. TAMPOCO VENDERA AL GOBIERNO DE LOS ESTADOS UNIDOS LOS 34 AVIONES F-4C A QUE HACE TAMBIEN REFERENCIA EL CITADO ARTICULO.

TENGO EL HONOR DE PROPONER A V.E. QUE, SI LO QUE ANTECEDE ES ACEPTABLE POR SU GOBIERNO, ESTA NOTA Y LA DE CONTESTACION DE V.E. CONSTITUYAN UN ACUERDO ENTRE NUESTROS DOS GOBIERNOS.

LE RUEGO ACEPT, SENOR EMBAJADOR, EL TESTIMONIO DE MI MAS ALTA CONSIDERACION. (END TEXT)

3. THE AMBASSADOR'S REPLY WOULD READ: (BEGIN TEXT)

I HAVE THE HONOR TO REFER TO YOUR EXCELLENCY'S NOTE NO. (INSERT NUMBER) DATED (INSERT DATE), WHICH TRANSLATED INTO CONFIDENTIAL

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ENGLISH READS AS FOLLOWS:

(INSERT TEXT FROM PARAGRAPH 1 ABOVE, AS AMENDED BY DEPARTMENT)

I HAVE THE HONOR TO INFORM YOU THAT THE GOVERNMENT OF THE UNITED STATES AGREES THAT YOUR NOTE, TOGETHER WITH THIS REPLY, SHALL CONSTITUTE AN AGREEMENT BETWEEN OUR TWO GOVERNMENTS.

ACCEPT, EXCELLENCY, THE ASSURANCE OF MY HIGHEST CONSIDERATION. (END TEXT)

4. ACTION REQUESTED: THE GOS HAS RESISTED EXPLICIT MENTION OF THE SALE TO SPAIN OF 4 F-4C AND 4 RF-4C AIRCRAFT IN THIS EXCHANGE ON THE GROUNDS THAT THESE SALES, STRICTLY SPEAKING, ARE NOT DIRECTLY TREATY-RELATED. HOWEVER, THE LANGUAGE THE SPANISH ARE PREPARED TO USE APPEARS TO MEET THE REQUIREMENT SET FORTH IN THE REFTL, AND WE RECOMMEND WE BE AUTHORIZED TO PROCEED ON THIS BASIS. TODMAN

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Decaption Date: 01 jan 1960
Decaption Note:
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Disposition Approved on Date:
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